

October 31, 2023

Honorable Madeline Cox-Arleo  
Judge, United States District Court  
District of New Jersey  
Martin Luther King Jr., Federal Courthouse and  
Building  
50 Walnut Street  
Newark, New Jersey 07101-0999

Re: Supplemental Motion - Emergent  
Paul W. Bergin, No. 09-cr-367

Dear Honorable Judge Cox-Arleo:

Please, most respectfully, accept this motion as an emergent request and supplement to my legal submission - filing dated September 11, 2023.

I am being effected deleteriously and devoid of your imminent intervention could actually result in my death.

I submit the attached letter I sent to the Warden - A. Gelli, United States Penitentiary Max, Florence, Colorado to which I anticipate being retaliated against for filing. I also enclose the attached sworn certification.

Thank you,  
Most respectfully,

Paul W. Bergin  
PAUL W. BERGIN

Dated: October 31, 2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

PAUL W. BERGRIN,  
Plaintiff - Petitioner,

v.

UNITED STATES OF AMERICA,  
Defendant - Respondent.

Criminal No. 09-cr-369

SWORN CERTIFICATION

1. I, Paul W. Bergin, am the Plaintiff - Petitioner in the above captioned matter and do hereby submit this sworn Certification under oath and subject to the penalty of perjury.
2. The facts contained infra are irrefutable - they are well documented with a copious paper trail.
3. I have made the warden of the United States Penitentiary, Florence, Colorado (AIX), wholly cognizant of my medical issues during his executive staff walk-through in June 2023. As a matter of fact he requested the Director of Medical Services to hear my complaint at my cell door, but all to no avail. I was laughed at, scoffed and ignored.
4. In or about June 18, 2023 at 0330 hours (emphasis added), I filed a sick-call slip in accord with institutional policy and placed it under my cell door, as is required. The sick call slip pleaded for medical assistance - help - immediate attention as I was having difficulties urinating, but also endured the urge to frequently urinate, well beyond normalcy. I knew something was seriously wrong.

5. The June 18 sick call slip was wholly ignored, although SIS (Special Investigative Services Agent Turner) assured me that she personally handed it to the medical department.
6. This sick call slip was followed up with an additional twelve (12) cop-outs pleading - begging for medical assistance - help; as my medical issues - claims progressively worsened.
7. I filed administrative redress in the form of a BP 8 and BP 9 and also spoke to both Nurses Jones and Huddleston in June and July when they were making rounds on my range.  
As previously delineated in paragraph 3, supra, I also spoke face-to-face directly to the Warden and Director of Medical Services. Their atrocious apathy distressed me and has resulted in permanent psychological injury.
8. Finally, on August 10, 2023, blood and urine samples were taken by a laboratory technician.
9. Despite multiple cop-out requests in the end of August, September and October to receive the results of the laboratory analysis I was ignored and laughed at. They knew that my PSA test delineated a 4.85 reading, but tormented me by refusing to reveal it.
10. On 24 October 2023, at or about 0750 hours and subsequent to filing a BP 8, administrative remedy redress - claim, enunciating that I will hold the Warden and Director of Medical Services responsible for my death or the metastasis of any illness, the PA came to my cell and advised me that my PSA results measured abnormally high and that I must see an Urologist. She walked away without uttering even a word of comfort!!!
11. Moreover, on Thursday, October 26, 2023 at or about 1200 hours and after recreation, my elbow swelled up extensively. I could not bend my arm and the pain was extreme. I requested

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medical attention and had my consummate professional, C.O. Cromar, assigned to day watch, contact medical services. They refused my medical needs, although available or to even provide me ice. They advised Cromar that "I should file a sick call slip and they will attend to me when they can," even an incompetent and retarded medical person should've known I needed ice.

12. The apathy, ineptness, anti-semitic actions and violent hatred fostered by a corrupt Warden and his Medical Director, whose vehement apathy has resulted in extreme distress, physical and psychological torment and sadism, is out of control. It should be intolerable but is not. It is the median for treatment of sick inmates at this hell hole.

13. For in excess of two (2) years I have respectfully requested dental care, treatment, x-rays, cleaning and assistance, like a plethora of other inmates.

This Warden and Medical Services have advised us that we are on a "waiting list" and they will get to us when they can and possibly in three (3) years duration, or even longer.

The American Dental Association suggests cleaning and prophylactic treatment every six (6) months; as Plaque build-up, decay and tartar could lead to permanent heart damage or illness. They do not care!

The apathy of medical treatment, care and even tending to extreme pain, anxiety and serious illness at this institution is known to not only the Warden, but the Regional Director Andre Mafrossian, the corrupt Michael Carvajal appointee whom selected this Warden, but also the new FBOP Director Peters; because I have written them to inform them of all issues at this torturous institution including blatant corruption, fraud and sadism.

I SEEK EMERGENT JUDICIAL



INTERVENTION. I FEAR RETALIATION BY AN CORRUPT WARDEN AND MEDICAL DIRECTOR WHOM ARE DENYING ME BASIC- FUNDAMENTAL- FOUNDATIONAL BUT WATERSHED MEDICAL- DENTAL TREATMENT (Emphasis added); which is harmful to my health, safety and welfare and could result in death or serious permanent bodily injury.

Paul W. Bergeron  
PAUL W. BERGERON

Dated: 31 October 2023.

October 27, 2023  
Friday

To: Honorable A. Ciolli  
Complex Warden

From: Paul W. Bergin  
16235050 HA 304

Sir:

Preliminarily and most respectfully, this letter is to provide you with copious details as to intolerable gross negligence by your (emphasis added) Medical Department and Director.

As a former Military, State and Federal Prosecutor and Defense Counsel, I opine that the apathy, incompetence, ineptitude and cruelty may also rise to the level of criminal misconduct; it is certainly unconstitutional and even your legal department must concur.

On or about June 18, 2023 I filed a sick call slip - cop-out pleading for medical help-assistance. I was having stomach cramps, urination issues and extreme medical issues. I followed this sick call request up with an additional twelve (12) sick call slips. I even spoke to you during executive walk throughs and you directed your mentally retarded medical director to talk to me. I spoke to Nurses Jones and Huddleston too. I filed BP 8 and 9's and even filed a legal motion in U.S. District Court which is pending, pleading for judicial intervention.

Finally, on August 10 blood and urine were taken and in spite of being ignored, I made multiple written requests in August, September and October for my lab results and or a copy of my laboratory analysis records.

On 24 October the P.A. abruptly stopped by my cell and finally informed me that I had to see a Urologist for my PSA level was 4.68; which is extremely high and potentially indicative of a malignancy which has definitely metastasized by now.

Five months passed since my initial request for medical assistance, all to no avail. I sought help for watershed - fundamental - foundational Constitutional (8th Amendment) care, but it fell on deaf ears. You and the medical director want me to die.

These depraved atrocities, dekes and factual averments are irrefutable. I created a paper trail that cannot be disputed. It is clear and unequivocal.

There is a chance that I have cancer which has gone ignored for five (5) months. This is reprehensible and as the Warden, you are complicit. You knew about my sick call requests being ignored and that your director of medical services was an incompetent moron whom, based upon the extraordinary inmate complaints at the six should have been removed - suspended - disciplined and even terminated; and now criminally charged and prosecuted.

You have placed my health, life and psychological - physical well being in jeopardy; when your Constitutional and Statutory duty is to protect me. You ignored my painful cries and pleas. Why?

I also want you to be wholly cognizant of the following:

On Thursday, October 26 at or about 1200 hours I requested CO Cromar to contact medical, and to let them know I hurt my elbow and needed ice. It was severely swollen, immobile and in extreme pain. I know ice would have helped.

Cromar is the consummate professional and I know he communicated with medical. They told him to inform me to put in a sick call slip and they will see me when they have the chance.

Is this right? Is this retaliation by a Director whom is criminally malicious, inept and a sick depraved sadist?? I do not know. But

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you have an obligation to investigate. I know for a fact that laziness-apathy permeates your staff.

I am going to prosecute this matter vigorously as it is repugnant to any semblance of humanity.

Please see me - Please respond.

Most respectfully,

Paul Bryn

cc: Honorable Merrick Garland, U.S. Attorney General  
Honorable Collette Peters, Director, FBIOP  
Andre Matkovskian, Regional Director  
Honorable Madeline Cox-Arles, Judge, US District  
Court Judge  
Lawrence Lustberg, Attorney At Law.